

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 10

REMARKS

Claims 2-5 are pending in the application. By this amendment, applicant has amended claims 2-5. Applicants have replaced the word "cabinet" with the word "compartment" to reflect a more accurate translation of the meaning of the word as found in the original Japanese application. Accordingly, applicants maintain that these amendments do not constitute new matter. Reconsideration is respectfully requested of the objections to the drawings set forth in the Office Action at paragraphs 2-5, of the objections to the specification set forth in the Office Action at paragraphs 6 and 7, and of the objections to the claims set forth in the Office Action at paragraphs 8-11.

Replacement sheets for Figs. 1-3 are attached as **Exhibit A**.

Fig. 1A has been amended to change reference character 10 ("closed cabinet") to 11 and to refer to the whole "air type sound sensor" using reference numeral 10. The specification has been amended in part to change all instances of "closed cabinet 10" to --closed cabinet 11--.

Fig. 1B has been amended to change reference character 10 to 11 in the four shown embodiments of the closed cabinet.

Fig. 2 has been amended to change reference character 30 ("lead wire") to 31 and to change reference character 70 ("a person") to 71. The specification has been amended in part to change all instances of "lead wire 30" to --lead wire 31 --and all instances of "person 70" to --person 71--.

The specification has been amended in part to change all instances of "hose 41" to --air pipe 41--, to change "plane "A-A"" to --plane A-A--, to change "sensor 20" to --sensor 21--, and to delete pages 31 and 32.

Claims 2-5 have been amended in part to address the objections thereof set forth in the Office Action at paragraphs 8-11.

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 11

Reconsideration is respectfully requested of the rejection of claims 2-5 under 35 USC 112, second paragraph, as being indefinite.

Claims 2-5 have been amended in part to address the objections thereof set forth in the Office Action at paragraph 13. In particular, all instances of "or a like", "or/and," "such as," and "in a pertaining shape" have been deleted. Further, claim 2 has been amended to recite "a plate-shaped member placed on the plurality of closed compartments of the plurality of closed air type sound sensors," as shown in Figs. 3-5 of the present application, for example. Furthermore, claim 2 has been amended to recite that a closed air type sound sensor (10 in amended Fig. 1A) includes a non-directional microphone (or a pressure sensor 21 in Fig. 1A) connected (via air pipe 41) to a closed compartment (11 in Fig. 1A) to output an electric signal (31 in Fig. 1A). Still further, claim 5 has been amended to change "the influence" to --an influence--, thereby giving proper antecedent basis to the limitation. Accordingly, it is respectfully submitted that amended claims 2-5 are clear and definite in their recitation of the present invention and meet all requirements of 35 USC 112.

Reconsideration is respectfully requested of the rejection of claim 2 under 35 USC 101, as being directed to non-statutory subject matter. Specifically, claim 2 has been amended in part to change the recitation "a human body" to -- a living organism--. Accordingly, it respectfully submitted that amended claim 2 meets all requirements of 35 USC 101.

Reconsideration is respectfully requested of the rejection of claims 2-4 under 35 USC 102(b), as being anticipated by Scanlon '005. Features of the biomedical information collection apparatus according to the present invention are a plurality of closed air type sensors including a plurality of closed compartments and a plurality of non-directional microphones or pressure sensors. A plate-shaped member is placed on

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 12

the plurality of closed compartments and when a living organism is placed on the plate biomedical information is read from the living organism.

Scanlon does not disclose a plurality of closed compartments. Applicant respectfully points out that "a plurality of closed compartments 11" is different structurally than the apparatus disclosed by Scanlon. It is merely "a fluid-filled chamber 11" having dimensions "as large as a person's torso". See col. 4, line 39 and lines 51-57 of Scanlon '005. Therefore, because the Scanlon structure is formed differently from that of the presently claimed invention, it is respectfully submitted that the positively recited structure of amended claim 2, and the claims depending therefrom, cannot be anticipated by Scanlon.

Applicant appreciates the Examiner's finding of Allowable Subject Matter in claim 5. The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

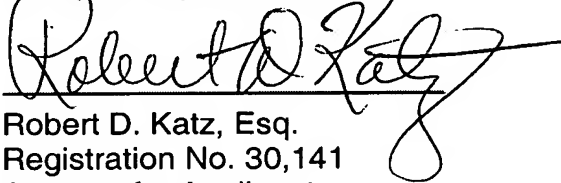
For the reasons set forth above, applicant respectfully requests that the Examiner reconsider and withdraw the rejections, and solicits allowance of the pending claims.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicant : Takashima Mitsuru
Serial No. : 10/018,676
Filed : December 24, 2002
Page 13

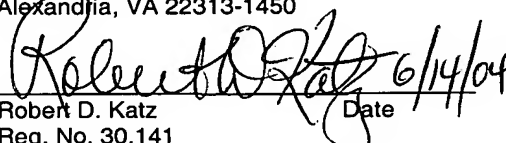
No fee, except the \$210.00 extension fee, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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Robert D. Katz Date 6/14/04
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